

## ORDINANCE NO. \_\_\_\_\_

1 AN ORDINANCE amending Chapter 9.36 of the Lincoln Municipal Code  
2 relating to Weapons by adding a new section numbered 9.36.100 to make it unlawful for  
3 any person to possess a firearm within the corporate limits or on any property of the City of  
4 Lincoln outside the corporate limits when that person has been convicted of violating  
5 specified state and local offenses within the last ten years; adding a new section numbered  
6 9.36.110 to make it unlawful for any person to keep a firearm in an unattended motor  
7 vehicle; and adding a new section numbered 9.36.120 to provide a definition for the term  
8 "firearm" for purposes of Sections 9.36.100 and 9.36.110 of the Lincoln Municipal Code.

9 BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

10 Section 1. That Chapter 9.36 of the Lincoln Municipal Code be amended by  
11 adding a new section numbered 9.36.100 to read as follows:

12 **9.36.100 Unlawful Possession of Firearms.**

13 It shall be unlawful for any person to possess any firearm within the corporate limits  
14 or on any property of the City of Lincoln outside the corporate limits when that person has  
15 been convicted of any one of the following offenses within the last ten years: Stalking in  
16 violation of Neb. Rev. Stat. § 28-311.03 or any other comparable or similar state statute  
17 from another state; Violation of a protection order as set forth in Neb. Rev. Stat. § 42-924  
18 or Violation of a foreign protection order as set forth in Neb. Rev. Stat. § 42-931; False  
19 imprisonment in the second degree in violation of Neb. Rev. Stat. § 28-315; Sexual assault  
20 in the third degree in violation of Neb. Rev. Stat. § 28-320; Impersonating a peace officer

1 in violation of Neb. Rev. Stat. § 28-610; or, Impersonating police officer in violation of  
2 Lincoln Municipal Code § 9.08.060; Debauching a Minor in violation of Neb. Rev. Stat.  
3 § 28-805; Obstructing government operations in violation of Neb. Rev. Stat. § 28-901;  
4 Resisting arrest in violation of Neb. Rev. Stat. § 28-904; Resisting officer in violation of  
5 Lincoln Municipal Code § 9.08.030; Obstructing a peace officer in violation of Neb. Rev.  
6 Stat. § 28-906; Interfering with an officer making an arrest in violation of Lincoln  
7 Municipal Code § 9.08.020; Carrying concealed weapon in violation of Neb. Rev. Stat.  
8 § 28-1202; Criminal child enticement in violation of Neb. Rev. Stat. § 28-311; Implements  
9 for escape in violation of Neb. Rev. Stat. § 28-913; Unlawful possession of explosives,  
10 second degree in violation of Neb. Rev. Stat. § 28-1216; Use of explosives without a  
11 permit in violation of Neb. Rev. Stat. § 28-1218; Concealing the death of another person in  
12 violation of Neb. Rev. Stat. § 28-1302; Minors not to be furnished with firearms,  
13 ammunition, or weapons in violation of Lincoln Municipal Code § 9.36.020; Discharge of  
14 firearms unlawful in violation of Lincoln Municipal Code 9.36.010; and Criminal attempt  
15 (where the crime attempted is a felony or any of the above Nebraska State Statute  
16 misdemeanor violations) in violation of Neb. Rev. Stat. § 28-201.

17 The provisions of this section shall not apply to (a) the issuance of firearms or the  
18 possession by members of the Armed Forces of the United States, active or reserve, the  
19 National Guard of this state, or Reserve Officers Training Corps, when on duty or training;  
20 or (b) a peace officer as defined by Neb. Rev. Stat. § 28-109(14).

1                   Section 2. That Chapter 9.36 of the Lincoln Municipal Code be amended by  
2 adding a new section numbered 9.36.110 to read as follows:

3    **9.36.110       Firearms in Attended Motor Vehicle; Unlawful.**

4                   It shall be unlawful for any person to keep a firearm in an unattended motor vehicle  
5 for a period in excess of twenty-four hours.

6                   The provisions of this section shall not apply to members of the Armed Forces of the  
7 United States, active or reserve, the National Guard of this state, or Reserve Officers  
8 Training Corps, when on duty or training, or peace officers or other duly authorized law  
9 enforcement officers, nor shall it apply to vehicles containing firearms that are parked in  
10 locked enclosures or buildings, such as garages or other storage facilities.

11                  Section 3. That Chapter 9.36 of the Lincoln Municipal Code be amended by  
12 adding a new section numbered 9.36.120 to read as follows:

13    **9.36.120       Firearm; Defined.**

14                  For purposes of Sections 9.36.100 and 9.36.110 of the Lincoln Municipal Code,  
15 "firearm" shall mean any weapon which is designed to or may be readily converted to  
16 expel any projectile by action of an explosive or frame or receiver of any such weapon  
17 including, but not limited to, any pistol, revolver, shotgun, or rifle.

18                  Section 4. That this ordinance shall take effect and be in force from and  
19 after its passage and publication according to law.

Introduced by:

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Approved as to Form & Legality:

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City Attorney

Approved this \_\_\_\_ day of \_\_\_\_\_, 2003:

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Mayor